

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

MDL 2724
16-MD-2724

THIS DOCUMENT RELATES TO:

*Marion Diagnostic Center, LLC et al. v.
McKesson Corporation et al.*

HON. CYNTHIA M. RUFÉ

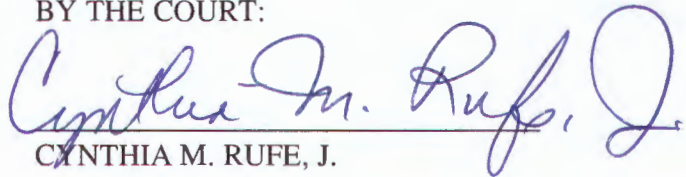
Individual Case No. 2:18-cv-04137

ORDER

AND NOW, this 16th day of October 2018, it is hereby **ORDERED** that the attached stipulation is **APPROVED**. The deadline for the Stipulating Defendants to move against, answer, or otherwise respond to the Marion Plaintiffs' Complaint in the above-captioned case is **ADJOURNED** pursuant to the procedure set forth in Pretrial Order No. 51.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

**MDL 2724
16-MD-2724**

THIS DOCUMENT RELATES TO:

HON. CYNTHIA M. RUFÉ

*Marion Diagnostic Center, LLC and Marion
Healthcare, LLC v. McKesson Corporation et al.*

Individual Case No. 2:18-cv-04137

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE DEADLINE FOR
DEFENDANTS TO RESPOND TO THE MARION PLAINTIFFS' COMPLAINT**

WHEREAS, Plaintiffs Marion Diagnostic Center, LLC and Marion Healthcare, LLC, on behalf of themselves and all others similarly situated (together, the "Marion Plaintiffs") filed a Complaint on September 25, 2018, in *Marion Diagnostic Center, LLC et al. v. McKesson Corporation et al.*, Case No. 2:18-cv-04137-CMR (the "Marion Plaintiffs' Complaint"), which is centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, Defendants Ascend Laboratories, LLC, Apotex Corp., Aurobindo Pharma USA, Inc., Citron Pharma, LLC, Dr. Reddy's Laboratories, Inc., Glenmark Pharmaceuticals, Inc., USA, Heritage Pharmaceuticals Inc., Lannett Company, Inc., Mayne Pharma Inc., Mylan, Inc., Mylan Pharmaceuticals, Inc., Par Pharmaceutical Companies, Inc., Sandoz, Inc., Sun Pharmaceutical Industries, Inc., Teva Pharmaceuticals USA, Inc., and Zydus Pharmaceuticals (USA) Inc. (collectively, "Stipulating Defendants")¹ have agreed to waive service of the Marion Plaintiffs' Complaint and the parties have reached an agreement to extend the time within which the Stipulating Defendants must move against, answer, or otherwise respond to the Marion Plaintiffs' Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

¹ Encure Pharmaceuticals, Ltd. does not agree to waive service of the Marion Plaintiffs' Complaint.

1. The Stipulating Defendants waive service of the Marion Plaintiffs' Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. In exchange for their agreement to waive service, the Stipulating Defendants shall be served with an unredacted copy of the Marion Plaintiffs' Complaint and the deadline for the Stipulating Defendants to move against, answer, or otherwise respond to the Marion Plaintiffs' Complaint is ADJOURNED pursuant to Pretrial Order No. 51.

3. This stipulation does not constitute a waiver by the Stipulating Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

IT IS SO STIPULATED.

Dated: October 16, 2018

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